

Approved

MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL HELD ON APRIL 15, 2009 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH. THE MEETING BEGAN AT 7:00 P.M.

Roll Call - Council Members: Brent Marshall, Paul Rupp, Todd Castagno, Tom Tripp and Mike Johnson were present. Paul Rupp and Mayor C. Byron Anderson were excused.

Appointed Officers and Employees Present: Attorney Ron Elton, Finance Director Jeremy Walker and City Recorder Rachel Wright.

Citizens and Guests Present: Christopher Fields, Dave Brown, Colleen Brunson and Missy Thompson.

In the absence of the Mayor, Councilman Mike Johnson made a motion to appoint Brent Marshall to serve as Mayor Pro Tempore for this meeting. Tom Tripp seconded the motion and all council members present voted in favor.

AGENDA:

1. Summary Action Items

- a. Approval of Minutes of the April 1, 2009 City Council meeting.
- b. Approval of Business Licenses for Second Chance Outfitters, Free the Clutter Bug, Crofts Custom Vinyl and Home Accents, LLC, XT VR Pro., and Imagikraft.
- c. Approval of Bills dated April 15, 2009 in the sum of \$130,204.73.
- d. Personnel Matters (none).

Motion: Councilman Castagno made a motion to approve the summary action items. Councilman Tripp seconded the motion. All voted against the motion and the motion did not carry.

Councilman Johnson asked to discuss the Grantsville Irrigation bill for the assessments on irrigation shares that have been transferred to the City as a result of development approval. He stated he feels the bill should be paid in full by the City, even though the City hasn't yet collected the fees from some developers. Councilman Marshall asked Finance Director Walker why he had suggested that the City only pay a portion of the bill. Mr. Walker stated that the City has not collected the full amount of the assessments and he was directed by the Mayor to only pay the amount the City had collected. He stated he was going to pay the irrigation company as the City received the money. Councilman Johnson asked how the irrigation liked that idea. Mr. Walker stated they wanted the assessments paid in full at this time. Councilman Johnson stated the City owns the water shares and should pay the bill in full. He stated the bill is the City's obligation. Councilman Marshall stated the irrigation company will sell the shares if the bill is not paid. Finance Director Walker stated that the trouble is financing the full payment. Attorney Elton suggested borrowing the funds from Water Capital fund or the Water Impact Fee fund to pay for the irrigation shares and pay the funds back when the City receives payment for these fees. Finance Director stated that if the City borrows from the Water Capital Fund then the City would not have to pay the loan back with interest.

Motion: Councilman Tripp made a motion to approve the summary action items and to amend the bill for Grantsville Irrigation to authorize the full assessment to be paid and to authorize that it be paid from a loan from the Water Capital Facilities Fund, with repayment made as payments are received from lot owners. Councilman Johnson seconded the motion. All voted in favor and the motion carried.

2. Consideration of trail head. (Tooele County Trails).

Dave Brown the trail coordinator for Tooele County was present. He stated that the trail committee has developed a general trail plan that would connect Tooele County, Tooele City, and Grantsville City. He stated they are looking at placing a trail head at the corner of Durfee and SR 112. He stated the City had originally owned the parcel but now it belongs to UDOT. He stated he has received a grant to develop this trail head. He stated he would like the City's backing to approach UDOT to use the property for a trail head. He stated the County would maintain the trailhead. Councilman Johnson asked about handicap accessibility. Mr. Brown stated that he would explore this issue.

Motion: Councilman Castagno made a motion to lend support to the Tooele County Trail Committee to establish a trailhead at the corner of Durfee Street and SR 112 and authorize a letter of support to be submitted to UDOT. Councilman Johnson seconded the motion. All voted in favor and the motion carried.

3. Consideration of Ordinance No. 2009-09 amending the General Plan map for 34.315 acres located at the corner of Burmester road and North Street (Lot #2 of the Pioneer Subdivision) from a Low Density Residential land use category to a Commercial/Higher Density Residential land use category. (Kakland Utah Holdings, LLC application).

Doug Pike was present representing Kakland Utah Holdings, LLC. He stated the owners would like to make a development that is pleasing to the community. He stated they would like to offer a variety of lot size options. He stated they are asking for a little higher density than the RM-7 allows and that is why they are asking for the RM-15 zoning designation. Mr. Pike stated the Planning Commission recommended denial but the owners would like to work with the Council and be allowed a higher density than the current zone allows. He stated there are smaller lots adjacent to the property on the south side that are in the RM-7 zone. Councilman Johnson stated he believed the council had previously denied other applications for half acre lots in the same area. Councilman Marshall stated that Koester Street could be a problem and stated that fire access is a problem with the current plan that was provided. Mr. Pike stated there will be a loop access that would be compliant with NFPA. Councilman Marshall stated another issue could be access to neighboring property. Mr. Pike stated the owners are willing to make the development allow access to adjoining property owners so they are not landlocked. He stated the owners have a large amount of water and are willing to work with the City. He stated the water could be worked into a deal with the City. Attorney Elton stated that the lot sizes and density are the biggest issues. Mr. Pike stated the density would be over 3 lots per acre but under 5 lots per acre. He stated the development would offer a nice variety of lot sizes and would give people more choices. Councilman Marshall stated that the lots directly south of the subject property are over one acre and the property to the north is designated in the General Plan for industrial uses. He stated the Council has denied numerous requests for higher density in the area because they would like lower density lots buffering the industrial area. Councilman Castagno stated that the council would like to remain consistent with its previous decisions. He stated the previous zone was an A-10 and the council recently approved a 1 acre zoning for the property. He stated many have asked for a higher density zone and have been denied. Mr. Pike asked how many have developed their property and have sold it. Councilman Marshall stated that the economy has affected many and development is down all over the City.

Motion: Councilman Johnson made a motion to deny this request to amend the General Plan as is proposed by Ordinance No. 2009-09, which would redesignate 34.315 acres located at the intersection of Burmester Road and North Street from a Low Density Residential land use category to a Commercial/Higher Density Residential land use category. Councilman Tripp seconded the motion. All voted in favor and the motion carried.

4. Consideration of Ordinance No. 2009-10 amending the zoning map for 34.315 acres located at the corner of Burmester Road and North Street (Lot #2 of the Pioneer Subdivision) from a RR-1 zoning designation to a RM-15 zoning designation. (Kakland Utah Holdings, LLC application).

Motion: Councilman Tripp made a motion to deny this request to amend the zoning map as is proposed by Ordinance No. 2009-10, which would rezone property located at the North East corner of Burmester Road and North Street from an RR-1 zoning designation to a RM-15 zoning designation. Councilman Johnson seconded the motion. All voted in favor and the motion carried.

5. Consideration of lease of Grantsville City irrigation water shares.

City Recorder Wright stated that the Public Works Director had recommended using 55 of the City's Grantsville irrigation shares to meet the City's current needs and that the remaining 36 shares be leased out for the 2009 season.

Motion: Councilman Johnson made a motion to authorize the leasing out of 36 of the City's Grantsville City Irrigation Shares for the 2009 irrigation season. Councilman Castagno seconded the motion. All voted in favor and the motion carried.

6. Consideration of Resolution adopting accounting policies and procedures for Grantsville City.

Finance Director Walker stated that the City has not formally adopted an accounting policies and procedures before, even though many had been informally adopted as a part of the independent audit procedures. He stated he wanted the City to have an official document that outlined the accounting procedures of the City. Councilman Marshall asked if the procedures can be amended at any time. Attorney Elton stated they could. Councilman Marshall asked if the fund balance exceeds the 18% if it can be allocated to other capital projects than the one outlined in the proposed policy. Attorney Elton stated that when any excess fund balance is transferred to a capital facilities project that it must be to a project that has been approved by the City Council. Councilman Marshall asked about Mr. Walker's recommendation of automatically transferring any excess fund balance to a new City Hall project. Attorney Elton stated that currently the City does not have a new City Hall building in a capital facilities plan. Attorney Elton stated that City staff is currently working on updating the current capital facilities plans. Councilman Marshall asked if the designation for the reserve fund could be changed to a police department building. Councilman Tripp suggested designating the extra funds during the budget session. Finance Director Walker stated he would like to have a default transfer built into the accounting policies. He stated that it is a minor piece of the polices and he does not feel it a big issue that the City Hall is not in a capital facilities plan currently.

Motion: Councilman Castagno made a motion to approve Resolution No. 2009-02, a resolution adopting accounting policies and procedures for Grantsville City Corporation and its employees. Councilman Johnson seconded the motion. All voted in favor and the motion carried.

7. Council Information Updates.

Councilman Marshall stated that he received the information about Ace Disposal's automatic increase in its fees and he wondered if the City needed to go out for bid again. Attorney Elton stated the City can go out for bid. Councilman Johnson asked about the fuel surcharge. Finance Director Walker stated the City has not received any billing for a surcharge for a while. Mr. Walker stated the bill for the tipping fee has gone up, indicating citizens are utilizing the bulk pickup more than before.

Councilman Marshall stated he talked to the landowner across the street from City Hall, about the possibility of planting some grass to control the dust problem which effects City Hall. Attorney Elton stated the problem is the landowner puts sheep on the land as soon as a little grass has grown and the sheep eat all of the grass. Councilman Marshall stated he will talk with the owner again about possible options to control the dust problem.

Councilman Marshall stated the Grantsville Business Alliance put in an application for a grant with the Room Tax Board. He stated it looks as though they will receive funding.

Councilman Marshall stated the budget meetings will soon begin. He asked Finance Director Walker about the budget. Finance Director Walker stated they will be receiving a tentative budget on May 6th and they have until June 22nd to adopt the budget.

Councilman Tripp stated he has been watching the bills. He asked if the accounting services was for the auditors. Finance Director Walker stated it was. He stated he would be putting out an RFP for auditing services this year. Councilman Tripp asked why the cell phone bill was so high. Finance Director Walker stated it included early termination fees. Councilman Tripp asked if the City had received the property tax from the County. Finance Director Walker stated they still owe the City one more check that should be around \$200,000.00. He stated they are required by State law to have the taxes to the City by March 31st.

Councilman Tripp stated he attended a Mosquito Abatement meeting. He stated that environmental groups have sued districts regarding mosquito treatment claiming the pesticides being used are ending up in the water. He stated the environmentalists are suggesting local control be used rather than spraying. He stated the Mosquito Abatement has two years until it can no longer use pesticides to treat the mosquito problem. He stated that the West Nile virus has mutated.

Councilman Castagno asked if the Council would be opposed to moving the Welcome to Grantsville sign. He stated the current sign sits on private and State property. All the council agreed they would be in support of moving the sign.

Councilman Johnson stated the electrical service for the City concession stand is almost done. He stated GMS donated granite countertops for this project. He asked why the Tooele County School District is not participating in helping to fund the improvements for the concession stand. Councilman Marshall stated he would contact the School District. Councilman Johnson

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stated there is still a need for asphalt, cement, carpet, countertop for the inside and a stainless steel sink.

Councilman Johnson stated the J. Reuben Clark barn needs to be finished. Councilman Marshall stated the Room Tax money was used for the lean too and it was suppose to have been used for the barn. He stated they would like to see the project completed. He stated the City needs to obtain bids to complete the project. He stated there is money in the transit room tax to complete the project of up to \$25,000.00.

Councilman Marshall stated he feels the council needs to meet regarding the issues surrounding the City's policy of receiving irrigation shares for developments and the burden it places upon the City to collect the annual assessment. He stated the City also should meet with the Grantsville Irrigation Company to address these issues. Councilman Castagno suggested holding a special meeting with the Council to formulate a plan and then to meet with the irrigation company.

Motion: Councilman Tripp made a motion to hold a special City Council Meeting on April 30th at 6:00 p.m. regarding these water rights issues. Councilman Castagno seconded the motion. All voted in favor and the motion carried.

8. Adjourn.

Motion: Councilman Johnson made a motion to adjourn. Councilman Castagno seconded the motion. All voted in favor and the meeting officially adjourned at 8:46 p.m.